

**UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF FLORIDA  
TAMPA DIVISION**

**MATTHEW ORSO as Successor  
Trustee to Kenneth D. Bell in his  
Capacity as Court-appointed  
Receiver for Rex Venture Group, LLC,**

**Plaintiff,**

**v.**

**Case No.: 8:21-mc-33-JSM-AAS**

**CAROL WITT,**

**Defendant.**

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**ORDER**

Under Federal Rule of Civil Procedure 4.1, Nationwide Judgment Recovery, LLC, as Assignee of Matthew Orso as Successor Trustee to Kenneth D. Bell in His Capacity as Court-Appointed Receiver For Rex Venture Group, LLC, moves for the court to appoint any employee or agent of ABC Legal, who is otherwise legally permitted to effectuate service of process under applicable law, to serve the court-ordered writs in this matter upon the garnishees.

Federal law governs who may serve a writ of garnishment. *See* Fed. R. Civ. P. 69(a)(1) (“The procedure . . . in proceedings supplementary to and in aid of judgment . . . must accord with the procedure of the state where the court is located but a federal statute governs to the extent it applies.”). The Federal

Rules have the “force and effect” of a federal statute. *See Sibbach v. Wilson & Co.*, 312 U.S. 1, 13 (1941) (stating a federal rule established within the power delegated to the Supreme Court “has the force of a federal statute”). In turn, the Federal Rules permit the appointment of a special process server to deliver a writ of garnishment like the one at issue here. *See* Fed. R. Civ. P. 4.1 (“Process-other than a summons under Rule 4 or a subpoena under Rule 45-must be served by a United States marshal or deputy marshal or by a person specially appointed for that purpose.”); *see also Sumner v. Garner*, No. 6:18-CV-40-ORL-28GJK, 2019 WL 6716193, at \*1 (M.D. Fla. Dec. 9, 2019); *Francois v. Washmonbo, Inc.*, No. 05-23368-CIV, 2008 WL 2694752, at \*2 (S.D. Fla. July 8, 2008).

Thus, Nationwide Judgment Recovery’s motion for appointment of process server (Doc. 7) is **GRANTED**. Any employee or agent of ABC Legal, who is otherwise legally permitted to effectuate service of process under applicable law, is authorized to serve the writs of garnishment on the garnishees in this matter.

**ORDERED** in Tampa, Florida on July 7, 2021.

A handwritten signature in black ink, reading "Amanda Arnold Sansone". The signature is written in a cursive, flowing style. The first name "Amanda" is prominent, followed by "Arnold" and "Sansone".

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AMANDA ARNOLD SANSONE  
United States Magistrate Judge